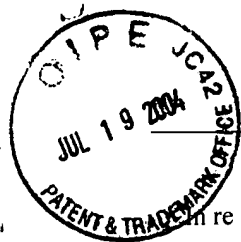


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Case Docket No. SAEG150.01CP1C1

Date: July 14, 2004

Page 1



In re application of : VIVIANI, et al.
App. No. : 09/993,874
Filed : November 14, 2001
For : NUCLEIC ACID MOLECULES
ENCODING **RED**, AND GREEN
EMITTING LUCIFERASES
Examiner : Elizabeth Slobodyansky
Art Unit : 1652

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 14, 2004

(Date)

Katsuhiro Arai, Reg. No. 43,315

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	5	—	= 0 ×	\$9	= \$0
Independent Claims	1	—	= ×	\$43	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT				\$0	

- (X) Amendment in seven (7) pages.
- (X) A copy of Manual for Using Fluorescent Microspheres to Measure Regional Organ Perfusion for the Examiner's reference.
- (X) Three (3) sheets of Drawings for replacement.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) Return prepaid postcard.

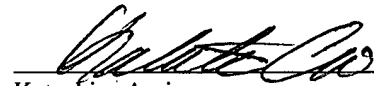
PATENT

Case Docket No. SAEG150.01CP1C1

Date: July 14, 2004

Page 2

-
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Katsuhiko Arai
Registration No. 43,315
Agent of Record
Customer No. 20,995
(949) 760-0404

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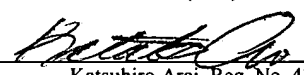
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vadim R.Viviani, et al.
Appl. No. : 09/993,874
Filed : November 14, 2001
For : NUCLEIC ACID MOLECULES
ENCODING RED AND GREEN
EMITTING LUCIFERASES
Examiner : SLOBODYANSKY, ELIZABETH
Group Art Unit : 1652

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July 14, 2004

(Date)


Katsuhiro Arai, Reg. No. 43,315

AFTER FINAL AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed May 14, 2004, please reconsider the present application in light of the following Amendment and comments.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings begin on page 3 of this paper. A "Replacement Sheet" for each sheet of drawings being amended can be found in the Appendix.

Remarks/Arguments begin on page 4 of this paper.